

REMARKS

This is a full and timely response to the final Office action mailed 9 Dec 2005.

This response is filed with two months of the mailing date of the final rejection.

Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claim Amendments

The previous amendments inadvertently deleted a period from the end of claim 27 and the end of claim 35. The above claim amendments restore the periods at the end of claims 27 and 35.

Rejections Under 35 U.S.C. § 102

Claims 15-19, 22-35 and 37 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 5,775,801 to Shaffer, hereinafter Shaffer. The Examiner stated that Shaffer disclosed the claimed invention, citing FIGS. 3A and 3B of Shaffer.

Applicants respectfully disagree, and submit that applicants' claims are patentably distinct over the cited Shaffer reference. First, applicants note that the light sources disclosed in Shaffer are neon light sources. Second, applicants submit that light sources illustrated in FIG. 3B of Shaffer are **two separate neon light sources**, one behind the other. See column 4, line 56-58, that describes FIG. 3B as "an illustration of the relative alignment of two neon light sources 119, 121." See also column 3, lines 7-10. In contrast, applicants claimed invention is a "tubular fluorescent lamp". Furthermore, the limitations of the claims recite the legs and curved segments arranged together as part of a single lamp. Thus, two separate and distinct neon light sources do not satisfy the claimed limitations. For these reasons, applicants submit that claims 15-19, 22-35 and 37 are patentably distinct over the cited Shaffer reference.

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With regard to independent claim 15 specifically, applicants note that independent claim 15 recites that the fluorescent lamp includes first and a second plurality of legs arranged in a first and a second plane, and wherein "the first plurality of legs is interdigitated with the second plurality of legs to create a continuous lamp surface along a first side of the fluorescent lamp". Applicants submit that Shaffer fails to disclose such a lamp structure. Specifically, while Shaffer discloses two separate neon light sources, there is not a single lamp with legs in a first and second plane, where the legs are interdigitated "to create a continuous lamp surface on the first side of the fluorescent lamp".

Thus, applicants submit that amended independent claim 15 is patentably distinct over the cited reference. Furthermore, as dependent claims 16, 17, 18, 19 and 22 depend from, and include all the limitations of independent claim 15, they are also submitted to be patentably distinct.

With regard to independent claim 23, applicants submit that independent claim 23 is patentably distinct over Shaffer. Specifically, independent claim 23 recites that the fluorescent lamp includes plurality legs arranged in a first plane and a second plane, where successive legs alternate between the first plane and the second plane, and wherein "the first plane is substantially parallel to the second plane, and wherein the first and second plurality of legs are spaced to provide a continuous lamp surface along a first side of the fluorescent lamp, and wherein the first side is substantially parallel with the first plane". Applicants submit that Shaffer fails to disclose such a lamp structure.

Specifically, while Shaffer discloses two separate neon light sources, there is not a single lamp with legs in a first and second plane, where the legs alternate between planes and are spaced "to create a continuous lamp surface on the first side of the fluorescent lamp". Thus, applicants submit that amended independent claim 23 is patentably distinct over the cited Shaffer reference. Furthermore, as dependent claims 24, 25, 26, 27, 28, 29 and 30 depend from, and include all the limitations of independent claim 23, they are also submitted to be patentably distinct.

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With regard to independent claim 31, applicants submit that independent claim 31 is patentably distinct over Shaffer. Specifically, independent claim 31 recites that the fluorescent lamp includes first and second plurality of legs arranged in a first and a second curve, and wherein "the first plurality of legs is interdigitated with the second plurality of legs to create a continuous lamp surface along a first side of the fluorescent lamp". Applicants submit that Shaffer fails to disclose such a lamp structure.

Specifically, as discussed above, Shaffer fails to disclose a single lamp structure where the legs are interdigitated "to create a continuous lamp surface on the first side of the fluorescent lamp". Additionally, Shaffer fails to show a first plurality of legs where at least three successive legs in the first plurality of legs reside in a first curve and a second plurality of legs where at least three successive legs in the second plurality of legs reside in a second curve different from said first curve, where the first and second curves are parallel.

Thus, applicants submit that amended independent claim 31 is patentably distinct over the cited references. Furthermore, as dependent claims 32, 33, 34, 35 and 37 depend from, and include all the limitations of independent claim 31, they are also submitted to be patentably distinct.

The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

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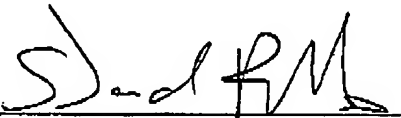
If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: 9 Feb 2006

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